

REMARKS

Claims 1-50 remain pending. No new claims have been added. No claims have been canceled. All claims remain the same. Reconsideration of the claims is respectfully requested.

Claims 1-50 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-38 of U.S. Patent No. 6,605,302. Insofar as it may apply to the present claims, this rejection is traversed.

Applicants hereby file a terminal disclaimer of the instant application over the '302 Patent. Both the instant application and the '302 Patent are currently commonly owned by Osmotica Corp. as detailed in the Assignment records of the Patent Office as follows:

Appl./Patent	Assignor	Assignee	Recordation Date	Reel/Frame
10/619,720	Inventors	Osmotica Corp.	11/15/2004	015359/0270
09/907,486 6,605,302	Inventors	Osmotica Corp.	09/10/2001	012148/0518

Applicants submit that this rejection has been overcome and request that it be withdrawn.

Applicants have made a diligent effort to respond to the office action and respectfully submit that the application is now in form for allowance. An early notice thereof is requested.

Respectfully submitted,

Date: November 10, 2006
 Innovar, L.L.C.
 P.O. Box 250647
 Plano, TX 75025-0647
 Ph.: 972-747-7373
 Fax: 972-747-7375

/RICK MATOS/
 Rick Matos, Ph.D.
 Registration No. 40,082
 Agent for Applicant
 Email: innovarllc@sbcglobal.net